

Remarks

Claims 26-50 are now pending in this application. Applicants have amended claims 26, 33, and 40, cancelled claims 29, 39, and 45 and presented claims 51-53 to clarify the claimed invention. Applicants respectfully request favorable reconsideration of this application.

The Examiner rejected claims 26-50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,142,384 to Wood et al. in view of U.S. patent 5,223,357 to Lovison.

The combination of Wood et al. and Lovison does not suggest the invention recited in claims 26-50 since, among other things, the combination of Wood et al. and Lovison does not suggest an embossed structure on the surface of a non-transparent substrate without a protective layer. Rather, Wood et al. suggests a light-transparent film sheet 6 or 14 that includes a Lippmann-Bragg reflection hologram 7 or 14. Additionally, Wood et al. suggests a package such as a cardboard box that includes an object 4 arranged in the package behind the transparent film or display that includes a design 13 on a substrate underneath the transparent film such that the object or design can be seen through the transparent film, as described at col. 3, lines 3-21; col. 4, lines 3-8; and col. 4, lines 20-26. The object in the package or design on the substrate would not be visible if the film were not transparent.

Lovison also does not suggest a non-transparent substrate. Rather, Lovison suggests a transparent substrate upon which a layer of transparent ink is deposited is attached to a holographic film, as described at col. 1, line 56, through col. 2, line 5. If the transparent

substrate were replaced with a non-transparent substrate, a top of the hologram would be protected by the transparent substrate. On the other hand, the claimed invention includes a grid structure that is not protected by a protective layer.

Lovison suggests that the anterior surface of a film has been textured to create the holographic effect, as described at col. 2, lines 57-66. However, Lovison also suggests that the anterior surface of the film textured to have the holographic effect is attached to the posterior surface of a substrate, as described at col. 3, lines 14-21. Thus, the textured holographic surface 16 included in the display sign suggested by Lovison is arranged between the film 14 and the transparent substrate 12. Accordingly, both sides of the holographic surface are protected by a protective layer. This means that the top side of the grid structure is protected with a protective layer, even from a rear perspective. Fig. 2 of Lovison illustrates the anterior surface 16 of the film 14 as if the film were remote from the substrate 12. However, Fig. 2 is an exploded view of the structural components of the sign, as described at col. 2, lines 58-59. Thus, the anterior surface 16 of the film is actually attached to the posterior surface of the substrate, as described at col. 3, lines 16-20.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not suggest patentable features of the claimed invention. Therefore, the reference relied upon in the office action, whether considered alone or in combination, do not make the claimed invention obvious. Accordingly, Applicants submit that the claimed invention is patentable over the cited references and respectfully request withdrawal of the rejections based on the cited references.

In conclusion, Applicants respectfully request favorable reconsideration of this application and issuance of the notice of allowance.

If an interview would advance the prosecution of this application, Applicants respectfully urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Dated: December 15, 2009

Respectfully submitted,

Electronic signature: /Eric J. Franklin/
Eric J. Franklin

Registration No.: 37,134
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant